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PT

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/508,692 03/29/00 ALBERTINI

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MMC2/0102

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EXAMINER

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DONOVAN, L ART UNIT	PAPER NUMBER
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2832
DATE MAILED:

7
01/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Application No.
09/508,692

Applicant(s)
Albertine et al.

Examiner
Lincoln Donovan

Group Art Unit
2832



☒ Responsive to communication(s) filed on Oct 31, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 8-16 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 8-16 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2832

DETAILED ACTION

Election/Restriction

1. Applicant's election with traverse of in Paper No 6 is acknowledged. The traversal is on the ground(s) that the search for the method, as claimed, does not impose an unreasonable additional burden upon the examiner. This is found persuasive because, as claimed, the specific method of optimizing the operating frequency would require the specific structure of the article.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 8-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2832

Regarding claim 8, in line 2, applicant should clarify what is intended by "this circuit." In line 3, there is no antecedent basis for "the median line of the magnetic circuit." Claims 9-10 inherit the defects of the parent claim.

Regarding claim 10, applicant should clarify whether the gaps claimed are the same as those recited in claim 8, applicant should clarify which gaps are intended.

Regarding claim 11, line 2, there is no antecedent basis for "the median line of the magnetic circuit." Claims 12-16 inherit the defects of the parent claim.

Regarding claim 12, applicant should clarify what is intended by "regular intervals."

Claims 13 and 15, lack structural support for the functional language of "formed by a single layer..."

Claims 14 and 16, lack structural support for the functional language of "formed by a stack of alternately magnetic and insulating layers."

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by EPO 0 308 334.

Art Unit: 2832

EPO 0 308 334 discloses a magnetic circuit [figure 1] comprising: gaps [8] perpendicular to a longitudinal axis of the circuit arranged in parallel planes mounted at regularly spaced intervals having a "certain pitch" and a "certain width."

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over EPO 0 308 334

EPO 0 308 334 disclose the instant claimed invention except for: the method of forming the claimed apparatus. The method steps claimed are inherent in the product structure.

9. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over EPO 0 308 33 in view of Bhagat [US 5,070,317].

EPO 0 308 334 disclose the instant claimed invention except for the specific formation of the layers to form the magnetic circuit.

Bhagat discloses various multilayered magnetic circuit designs having single, multiple and alternating layers of materials with gaps interposed therebetween.

Art Unit: 2832

It would have been obvious to one having ordinary skill in the art at the time the invention was made that the use of various layers to form the magnetic circuit could have been used for the purpose of controlling the output of the magnetic circuit.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lee et al. [US 6,030,877], Japan 8-162352, Inaba [US 5,242,861] and Kendell [US 3,881,244]

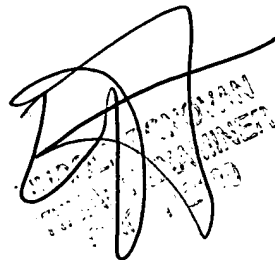
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lincoln Donovan whose telephone number is (703) 308-3111.

The fax number for this Group is (703)308-7724.

Any inquiry of a general nature or relating to the status of this application of proceeding should be directed to the Group receptionist whose telephone number is (703)308-0956.

LDD

December 28, 2000

A handwritten signature in black ink, appearing to be 'LDD', is written over a circular stamp. The stamp contains the text 'RECEIVED' and 'DEC 28 2000'.